

REMARKS/ARGUMENTS

The present Amendment is responsive to the non-final Office Action mailed March 26, 2008, in the above-identified application.

Claims 1-11 are the claims currently pending in the present application. Claims 1-4 are amended to clarify features recited thereby.

Rejection of Claims 1-11 under 35 U.S.C. §103

Claims 1-11 are rejected under 35 U.S.C. §103 as being obvious from Novakov, U.S. Patent No. 6,571,103 in view of Larsson et al., U.S. Patent No. 6,463,307. Reconsideration of this rejection is respectfully requested.

Without intending to limit the scope of the claims, according to an aspect of Applicant's invention as claimed in claims 1, 2, 5, 8 and 9, a first node of a radio network system, such as a base station, detects a packet for a physical address inquiry among broadcast packets traveling over a communication line addressed to a radio mobile terminal connected to the first node, and responds to the packet as an agent for the radio mobile terminal to solve the physical address inquiry.

The Office Action acknowledges (Office Action, page 3) that Novakov does not disclose a node for receiving and discriminating broadcast packets traveling over a communication line addressed to the radio mobile terminal operating in a power-saving mode and, when a broadcast packet concerning the physical address inquiry is found among the broadcast packets traveling over the communication line addressed to the radio mobile terminal, responding to the broadcast packet as an agent for the radio mobile terminal to solve the physical address inquiry. However, the Office Action alleges that Larsson discloses such features.

Larsson discloses a power saving method and apparatus in a mobile terminal in which a base station can act as an agent to answer connectivity test inquiries on behalf of the mobile terminal (Larsson, Abstract). Larsson discloses that, in an asynchronous transfer mode (ATM) network or wireless ATM (WATM) network, or the like (Larsson, column 1, lines 15-56), a base station (BS) can include a mirror for an interim local management interface (ILMI) of a mobile

terminal and can act as an agent to respond to connectivity messages, and receive updated status information regarding the mobile terminal via ILMI mirror update messages from the mobile terminal (Larsson, column 5, lines 37-51).

It will be appreciated that an ILMI is a protocol defined for ATM, and thus will not involve “packets” as that word is commonly used in the art and in the claims of the present application. In the ATM protocol, small data frames known as “cells” (typically 53-byte or comparable-sized cells), are used to address certain problems, such as a reduction of jitter, a delay variance, and so forth.

Larsson does not disclose or suggest finding a broadcast packet, as required by claims 1, 2, 5, 8 and 9. Further, Larsson does not disclose or suggest a broadcast packet concerning a physical address inquiry, as further required by claims 1, 2, 5, 8 and 9. Larsson discloses that the ILMI mirror of the base station is maintained based on packets received from the mobile terminal, the ILMI mirror being a mirror image of the managed information base (MIB) of the mobile terminal (Larsson, column 10, lines 34-36). Further, Larsson discloses that when the BS having an ILMI agent determines that an ILMI message has been received from the network, then if the mobile terminal is hibernating at the moment, the base station sends an ILMI response to the network using the ILMI agent (Larsson, column 10, lines 26-31). As discussed, Larsson’s ILMI message received by the BS from the network (Larsson, Figure 8, step 802) is not a “packet” because the ATM protocol relies on cells, not packets, for its ILMI messages. Thus, Larsson does not disclose or suggest a broadcast packet concerning a physical address inquiry because the ILMI message uses a simple network management protocol (SNMP) and is not a physical address inquiry as that term is commonly used in the art and in claims 1, 2, 5, 8 and 9 of the present application. Accordingly, even taken together in combination, Novakov and Larsson do not disclose or suggest the recitations of claims 1, 2, 5, 8 and 9.

Claim 3 depends from claim 2, claim 4 depends from claims 1 or 2, claims 6 and 7 depend from claim 5, and claims 10 and 11 depend from claims 8 or 9. Accordingly, claims 3, 4, 6, 7, 10 and 11 are patentably distinguishable over the cited art for at least the same reasons as their respective base claims.

In view of the forgoing discussion, withdrawal of the rejection and allowance of the claims of the application are respectfully requested.

THIS CORRESPONDENCE IS BEING
SUBMITTED ELECTRONICALLY
THROUGH THE UNITED STATES
PATENT AND TRADEMARK OFFICE
EFS FILING SYSTEM
ON June 25, 2008

Respectfully submitted,


MAX MOSKOWITZ

Registration No.: 30,576

OSTROLENK, FABER, GERB & SOFFEN, LLP

1180 Avenue of the Americas

New York, New York 10036-8403

Telephone: (212) 382-0700

MM:GB:lac:ms